



## PATENT APPLICATION

In the United States Patent and Trademark Office

Applicant: Wiethoff et al.  
Docket No.: 10034.545  
Date: September 23, 2008  
Application No.: 10/587,065  
Int'l Filing Date: January 24, 2005  
Art Unit: 2856  
Examiner: M. Shabman

For: METHOD AND DEVICE FOR DETERMINING THE QUALITY OF MILK  
PRODUCED BY MACHINE MILKING

### Certificate of Mailing

I hereby certify that this  
correspondence is being deposited with  
the United States Postal Service as  
Express Mail in an envelope addressed  
to: Mail Stop Amendment,  
Commissioner for Patents,  
P.O. Box 1450,  
Alexandria, VA 22313-1450

On Sept 23, 2008  
Signature Amy L. Miller

Amy L. Miller

### INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants request that this Information Disclosure Statement be considered because it has  
been filed within the following time period:

37 C.F.R. §1.97(b)

\_\_\_\_ Within three months of the filing date of a national application other than  
a continued prosecution application under §1.53(d);

\_\_\_\_ Within three months of the date of entry of the national stage as set forth in  
§1.491 in an international application;

x Before the mailing of a first Office Action on the merits;

\_\_\_\_ Before the mailing of a first Office Action after the filing of a request  
for continued examination under §1.114;

Applicant: Wiethoff et al.  
Application No.: 10/587,065

*37 C.F.R. §1.97(c)(d)*

- \_\_\_\_\_ Before the mailing of any of a final action under §1.113;
- \_\_\_\_\_ Before a notice of allowance under §1.311;
- \_\_\_\_\_ An action that otherwise closes prosecution in the application; or
- \_\_\_\_\_ Filed on or before payment of the issue fee

And is accompanied by a:

Statement specified in §1.97(e):

\_\_\_\_\_ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

\_\_\_\_\_ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

\_\_\_\_\_ The fee set forth in §1.17(p).

Applicant: Wiethoff et al.  
Application No.: 10/587,065

In accordance with 37 C.F.R. §1.56, Applicants call the attention of the Examiner to the following documents:

United States Patents

<u>U.S. Patent No.</u>	<u>Patentee</u>	<u>Issue/Publication Date</u>
4,376,053	Bullock et al.	03-08-1983
6,578,516	Oosterling et al.	06-17-2003

Foreign Patent Documents

<u>Patent No.</u>	<u>Issue/Publication Date</u>	<u>Patentee</u>
WO 00/67559	11-16-2000	Maier
DE 101 31 781 C1	10-31-2002	Redetzky
EP 1 000 535 A1	05-17-2000	Van den Berg et al.
EP 1 126 757 B1	11-27-2002	Glensbjerg

Other Documents

PCT/IB/338, Notification of Transmittal of Copies of Translation of the International Preliminary Report on Patentability received October 19, 2006, 1p.

PCT/IB/373, International Preliminary Report on Patentability received October 19, 2006, 1p.

PCT/ISA/237, Written Opinion of the International Search Authority received October 19, 2006, 5pp.

English language Abstract, Translated Description and Claims of DE 101 31 781 C1, European Patent Office's esp@cenet.com database, 8pp.

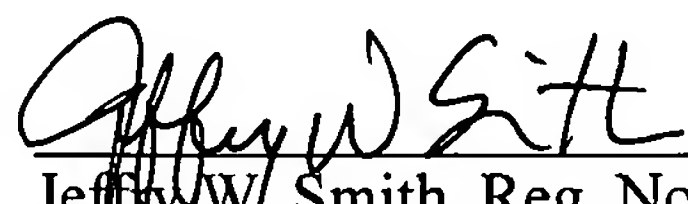
**Please note that the "Translated Description and Claims" referenced above are downloaded from the European Patent Office's esp@cenet.com database, and are not translations obtained or certified by Applicants. The European Patent Office site indicates that the translations are made automatically by WorldLingo Translations.**

Applicant: Wiethoff et al.  
Application No.: 10/587,065

Copies of these documents are submitted herewith along with Form PTO/SB 08a and PTO/SB 08b.

Applicants respectfully requests that these documents be expressly considered during the prosecution of this application and made of record herein and appear among the "documents cited" on any patent to issue herefrom.

Respectfully submitted,

  
Jeffrey W. Smith, Reg. No. 33455  
Attorney for Applicant  
SMITH LAW OFFICE  
8000 Excelsior Drive, Suite 301  
Madison, WI 53717  
(608) 824-8300